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Sixty-sixth year

Provisional

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Wednesday, 21 December 2011, 10.25 a.m.

New York

President:	Mr. Churkin	(Russian Federation)
Members:	Bosnia and Herzegovina	Mr. Barbalić
	Brazil	Mrs. Viotti
	China	Mr. Wang Min
	Colombia	Mr. Osorio
	France	Mr. Briens
	Gabon	Mr. Moungara Moussotsi
	Germany	Mr. Eick
	India	Mr. Vinay Kumar
	Lebanon	Mr. Salam
	Nigeria	Mrs. Ogwu
	Portugal	Mr. Cabral
	South Africa	Mr. Sangqu
	United Kingdom of Great Britain and Northern Ireland	Ms. Sheard
	United States of America	Ms. Rice

Agenda

Non-proliferation

Briefing by the Chairman of the Security Council Committee established pursuant to resolution 1737 (2006)

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The meeting was called to order at 10.25 a.m.

Adoption of the agenda

The agenda was adopted.

Non-proliferation

Briefing by the Chairman of the Security Council Committee established pursuant to resolution 1737 (2006)

The President (*spoke in Russian*): The Security Council will now begin its consideration of the item on its agenda.

At this meeting, the Security Council will hear a briefing by Ambassador Néstor Osorio, Permanent Representative of Colombia, in his capacity as Chair of the Security Council Committee established pursuant to resolution 1737 (2006).

I now give the floor to Ambassador Osorio.

Mr. Osorio (Colombia) (*spoke in Spanish*): I am pleased to introduce to the Security Council the twentieth 90-day report on the work of the Security Council Committee established pursuant to resolution 1737 (2006), in accordance with the provisions of paragraph 18 (h) of the resolution. The report covers the period from 1 September and 18 December 2011, during which the Committee held informal consultations on 7 December and considered additional matters in accordance with its agreed rules of procedure.

On 7 December, the members of the Committee heard an oral briefing provided by the Coordinator of the Panel of Experts. The presentation summarized the essential points contained in Panel's midterm report of 1 November 2011, submitted to the Committee in accordance with paragraph 2 of resolution 1984 (2011). In its report, the Panel of Experts outlined the activities undertaken since the renewal of the Panel's mandate on 9 June. During that time, among other things, the Panel held a series of consultations in Brussels, Minsk and Yerevan, with a view to consider its programme of work and receive information relevant to its mandate. The Panel also investigated a complaint of a violation of the provisions of paragraph 5 of resolution 1747 (2007), which prohibits the export of all types of weapons and associated materials from Iran. It also began an investigation on the alleged violation by Iran of the provisions of paragraph 9 of resolution 1929 (2010), and it presented its third quarterly assessment of reports by Member States on their implementation of resolutions in accordance with paragraph 31 of resolution 1929 (2010).

During the debate that took place following the oral briefing, the members of the Committee welcomed the midterm report of the Panel of Experts, referring to it as factual and informative. The Committee considered the Panel's efforts to raise awareness as part of its visits, inspections and participation in seminars. The members of the Committee also considered the publication of the Panel's final report presented in May 2011 and committed themselves to continue negotiations. With regard to the guidelines notes drafted by the Panel on the implementation of resolutions at the request of the Committee, some members of the Committee expressed the hope that an agreement could be reached to make the notes available in the coming weeks.

Acknowledging the importance of the disclosure activities vis-à-vis Member States, the Committee considered the possibility of holding an open informational meeting in the near future, presided by the Chair and with the participation of the Panel of Experts. The purpose of the meeting would be to inform Member States as to the mandate and activities of the Committee and its Panel of Experts. Some members of the Committee also expressed a desire to meet again soon to consider two reports presented by the Panel with regard to two alleged cases of non-compliance submitted by States.

In the period under review, the Committee received four notifications — three from one Member State under paragraph 15 of resolution 1737 (2006) and paragraph 4 of resolution 1747 (2007), concerning the unfreezing of assets in order to settle a debt related to a contract entered into prior an entity's inclusion on the list; as well as one submitted by a Member States under paragraph 5 of resolution 1737 (2006), concerning the delivery of items for use at the nuclear power plant at Bushehr, Iran.

The Committee answered a query from a Member State seeking information on whether an Iranian entity indicated in the letter was the same as an entity listed in annex III to resolution 1803 (2008). Based on the information provided by one of its members, the Committee concluded that the two entities were one and the same. The Committee is currently considering

its answer to a query sent by another Member State seeking additional information on the reasons for the designation of an entity as subject to the assets freeze.

With regard to an incident reported to the Committee by a Member State in November 2010, the Committee received a letter from a Member State concerning extensive internal compliance measures taken by the shipping company CMA CGM to prevent the unwitting shipment by its vessels of items prohibited under Security Council resolutions. CMA CGM has cooperated fully with the Panel of Experts in its investigation of the case.

That concludes my briefing to the Security Council today.

The President (*spoke in Russian*): I shall now give the floor to the members of the Council.

Ms. Rice (United States of America): I would like to thank Ambassador Osorio for his report.

We meet at a critical moment in the Council's ongoing effort to address the threat posed by Iran's illicit nuclear activities. Since our last meeting, the Director General of the International Atomic Energy Agency (IAEA) recently released a damning report on the status of Iran's implementation of its Safeguards Agreement under the Treaty on the Non-Proliferation of Nuclear Weapons and on its response to Security Council resolutions on Iran (see S/2011/695).

That IAEA report, issued in November, concluded that Iran remains in non-compliance with its international nuclear obligations. The report adds to the mountain of evidence that Iran is misleading the international community about its nuclear activities and its nuclear intentions. Of even greater concern, that report addressed the question at the heart of the international community's concerns, namely, whether Iran has carried out, and whether it is still carrying out, activities related to the development of a nuclear weapon. The report is clear: the IAEA's information indicates that Iran has carried out activities that are "relevant to the development of a nuclear explosive device". The report further states that "prior to the end of 2003, these activities took place under a structured programme, and that some activities may still be ongoing".

I want to draw the Council's attention to yet another alarming development, namely, Iran's self-proclaimed intention to start enrichment at the underground Qom facility, perhaps as soon as this month. That is the same facility that Iran hid from the international community until it was discovered two years ago. At Qom, Iran now intends to consolidate its provocative production of uranium enriched to a level near 20 per cent. That is of concern because it brings Iran significantly closer to the capability to produce highly enriched uranium. To date, Iran has yet to provide a credible rationale for the production of near 20 per cent-enriched uranium. It has already produced sufficient fuel to power the Tehran Research Reactor for another five years, at a minimum, and Iranian leaders have already described that production as uneconomical. The start of enrichment at Qom will serve as yet another illustration of Iran's flagrant disregard for the Council's very clear position on Iran's enrichment activities.

Iran's behaviour plainly belies the purported peaceful nature of its nuclear programme. No one, after reading the November IAEA report, can reasonably believe Iran's contention that its continuing uranium enrichment programme is for peaceful purposes only. The decision by the IAEA Board of Governors last month to censure Iran demonstrated yet again the overwhelming view of the international community that Iran's illicit nuclear activities are unacceptable. The Council must, therefore, redouble its efforts to implement the sanctions that have already been imposed. Full implementation of those measures will show Iran that there is a price to be paid for its deception. Full implementation can also slow down Iran's nuclear progress, buying us more time to resolve this crisis through diplomatic means. The Committee established pursuant to paragraph 18 of resolution 1737 (2006) and the Panel of Experts are key to that effort. Those bodies must continue to implement their mandates and programmes of work effectively and robustly. The Committee must reinvigorate its efforts to implement the Panel's recommendations, including the publishing of further detailed implementation assistance notices to help Member States meet their obligations. The Panel must continue to investigate sanctions violations and must promote international awareness of the measures we have imposed.

The United States would like to express appreciation for the Panel's recent work, including its midterm report and its recent report on Iran's space launch activity, which involved both projects related to ballistic missiles capable of delivering nuclear

weapons and launches using ballistic missile technology, in violation of resolution 1929 (2010). The Committee should review those reports carefully and take action in response. The Committee must also do more to respond to sanctions violations and sanctions violators, such as by designating violators for the imposition of targeted sanctions. Resolution 1929 (2010) directed the Committee to respond effectively to those violations. Resolutions 1803 (2008) and 1929 (2010) also decided that the Committee may designate additional individuals and entities that have assisted in the evasion of sanctions or violations of Security Council resolutions. New designations of such individuals and entities would send a powerful signal of the Committee's commitment to enforcing Security Council resolutions.

My Government remains seriously concerned that the Panel's final report has not yet been released to the wider United Nations membership owing to the continued objections of a couple of members of this Council. That is an appalling failure of transparency. As I have stated before, we strongly believe that the report must be made available to all Member States as soon as possible, because it highlights information and best practises that can help States carry out their obligations. The time has come for a prompt solution to that impasse in order to allow the release of that report.

Sanctions are only a means to an end. Our ultimate goal is to ensure that Iran enters into full compliance with all of its international nuclear obligations and that it takes the necessary steps to resolve outstanding questions. In the face of Iran's deception and intransigence, the international community must speak with one voice, making clear that Iranian actions jeopardize international peace and security, and that they will only further isolate the regime.

President Obama has been unequivocal with respect to our policy towards the Iranian nuclear programme. As he has said,

> "There should be no doubt. The United States and the international community are determined to prevent Iran from acquiring nuclear weapons. Iran's illicit nuclear activity and the threat it poses to regional stability and the rules underpinning the nuclear non-proliferation regime is one of the greatest global challenges we face".

Mrs. Ogwu (Nigeria): I want to say that we owe a great debt to Ambassador Néstor Osorio for his concise briefing on the activities of the Committee established pursuant to paragraph 18 of resolution 1737 (2006). We deeply appreciate his precision, his outreach and his inspiring leadership of the Committee.

In the past three months, the 1737 Committee and its Panel of Experts have enhanced the implementation of the Security Council's resolutions on Iran. The outreach activities of the Committee, conducted through visits, inspections and participation in seminars, have improved the understanding not only of the Committee's work but also of the role of States in the implementation of the resolutions. We believe that these activities should be sustained. Indeed, more intensive outreach activities are required in developing countries to underpin these improvements.

In the same vein, accelerated action in the Implementation Assistance Notices and the publication of the Panel's final report is needed to improve the information available to the wider United Nations membership on the Committee's activities. Let me use this opportunity to reiterate Nigeria's continued cooperation and support in the work of the Committee.

The International Atomic Energy Agency (IAEA) has once again voiced serious concerns on the possible military dimensions of Iran's nuclear programme. Its recent report indicates that Iran has carried out activities relevant to the development of a nuclear device. Concerns have also been raised by the IAEA on Iran's failure to fully cooperate with the body and on the lack of sufficient clarification on the direction of its nuclear programme. These are worrying developments, and they underline the need for intensified interaction between Iran and the Agency.

We believe it is incumbent on Iran, as a State party to the Treaty on the Non-Proliferation of Nuclear Weapons, to dispel the doubts surrounding its nuclear programme and reassure the international community of the exclusively peaceful nature of its nuclear programme. Iran should engage substantively with the IAEA without delay to provide necessary clarification and information on all pending issues, especially those relating to possible military aspects of its nuclear programme. It must grant access to all sites, equipment, persons and documents requested by the Agency. In addition, it should take steps to implement its safeguards agreement and other obligations.

In spite of the limited progress of the previous talks with the E3+3, we believe that diplomatic negotiation is vital to resolve all outstanding issues relating to Iran's nuclear activities. We therefore call for redoubled efforts by all actors, including the E3+3, for a negotiated solution to the problem. Iran should also take steps to improve its interaction with the IAEA and the E3+3 as a demonstration of its commitment to its obligations under the international instruments, and particularly to a peaceful nuclear programme.

These disturbing developments on Iran's nuclear programme and proliferation activities will require close and sustained monitoring by the 1737 Committee and its Panel of Experts. The international community must maintain the highest level of vigilance and stand ready to address, in a pacific manner, proliferation risks wherever they occur.

Mr. Vinay Kumar (India): I too wish to join others in thanking Ambassador Néstor Osorio for presenting the twentieth 90-day report of the Security Council Committee established pursuant to resolution 1737 (2006). We commend the professionalism with which the Committee has been implementing its mandate under his stewardship.

I also wish to thank the Panel of Experts for its hard work since its mandate was extended for one year by resolution 1984 (2011) in June this year. We have taken note of the Panel's midterm report and its recommendations. We are carefully studying the report and the views expressed by Member States. We support the continued work of the Panel in accordance with its mandate and the preparation of its reports in consultation with Member States and by including inputs they provide.

India has consistently supported the right of all States to the peaceful uses nuclear energy consistent with their respective obligations. Iran, as a non-nuclear-weapon State signatory to the Treaty on the Non-Proliferation of Nuclear Weapons, has all the rights and obligations that go with its membership with regard to the use of nuclear energy for peaceful purposes. We underline the importance of the full and effective implementation of all obligations undertaken by States. We also emphasize the need for international focus on clandestine proliferation activities.

India has consistently underlined the critical importance of continuing dialogue between the International Atomic Energy Agency (IAEA) and Iran. We support intensification of dialogue between Iran and the Agency aimed at urgent resolution of all outstanding substantive issues, including providing clarification regarding those issues that have been highlighted in the reports of the IAEA.

India would also like to reiterate its support for a diplomatic solution. We believe it is necessary to expand the diplomatic space to address all outstanding issues in reassuring international confidence in the exclusively peaceful nature of Iran's nuclear programme. It is therefore essential to keep the door open for dialogue and to avoid confrontation.

We support full implementation of Security Council resolutions 1737 (2006) and 1929 (2010) by all States. At the same time, all efforts should be made to ensure that legitimate trade and economic activities do not suffer.

We support open briefings by the Committee's Chair and the Coordinator of the Panel for interested Member States on implementation procedures. We believe that all Member States should provide their support, as appropriate, to the discharge of the mandate of the 1737 Committee.

Mr. Sangqu (South Africa): My delegation wishes to thank Ambassador Néstor Osorio, Chair of the Security Council Committee established pursuant to resolution 1737 (2006), for his briefing today.

South Africa has maintained its commitment to the mutually reinforcing relationship among disarmament, non-proliferation and the right of States to use nuclear energy for peaceful purposes. We acknowledge that the important work of this Committee lies within the larger context of the commitments made by States to adhere to the grand bargain of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT): the promise to develop nuclear technology for peaceful purposes only by working towards the complete elimination of nuclear weapons.

South Africa's approach to the implementation of safeguards is informed by our principled position on the total elimination of all nuclear weapons and, in reaching this goal, on ensuring their non-proliferation, both horizontal and vertical. Furthermore, the inalienable right to use aspects of the atom for peaceful purposes requires from us to build confidence with the

international community in the peaceful nature of such activities.

We note that the International Atomic Energy Agency (IAEA) has transmitted the report by the Director General on the implementation of its safeguards agreement and the relevant Council resolutions to the President of the Security Council (see S/2011/695).

Being seized with this issue from 2003, the Board of Governors of the IAEA has emphasized its resolve to work for a diplomatic solution and the importance of Iran extending to the Agency the necessary and required cooperation to resolve the questions surrounding its nuclear programme. These relate in particular to the Agency's efforts to provide credible assurances about the absence of undeclared nuclear material and activities in the Islamic Republic of Iran. While in the past such cooperation has indeed resolved many of these questions, a renewed dedication by Iran to intensify its cooperation with the Agency, without preconditions, is of utmost importance.

The sanctions regime against the Islamic Republic of Iran is broad, encompassing areas such as export control, customs, transportation and financing. Cooperation between the Islamic Republic of Iran and the IAEA is indispensable in contributing to building the required confidence in the exclusively peaceful nature of Iran's nuclear programme and thereby assisting the Agency to clarify nuclear activities having a possible military dimension.

In that regard, South Africa welcomes the commitments expressed by Iran in a letter dated 30 October 2011, in which it extended to the Deputy Director General for Safeguards an invitation to visit Iran and to remove ambiguities, if any, regarding its nuclear programme. South Africa considers it vital for the Islamic Republic of Iran to follow through on this commitment and for the Agency to seize this opportunity and enhance its engagement with Iran.

Iran's implementation of the provisions of the relevant Council resolutions would also be a step in the right direction. The suspension of all enrichment-related and processing activities, a legally binding requirement in terms of resolution 1737 (2006), would be crucial in building confidence.

In conclusion, my delegation reaffirms its vision of a world free of nuclear weapons, as well as our respect for the right of all States to use the atom for peaceful purposes only. In that regard, we remain ready to work tirelessly with the IAEA until full confidence has been re-established in the peaceful nature of Iran's nuclear programme.

Mrs. Viotti (Brazil): I join previous speakers in thanking the Permanent Representative of Colombia, Ambassador Néstor Osorio, for his briefing and for his leadership of the activities the Security Council Committee established pursuant to resolution 1737 (2006).

Brazil appreciates the work of the Panel of Experts, as summarized in its midterm report, released last month. The Panel was created by resolution 1929 (2010) to carry out a number of tasks under the direction of the Committee. It is important that the Committee continue to provide its guidance and direction in an active manner. The mandate of the Panel was clearly defined in paragraph 29 of the resolution, which remains the sole reference for the Committee to follow up the various activities undertaken by the Panel, including outreach efforts.

For the sake of transparency, we support the proposal of holding an open briefing by the Chair of the Committee for non-members. Apart from providing information and assistance concerning the implementation of Security Council resolutions, that initiative would give further access and insight to Member States on the activities carried out by the Committee.

The situation regarding the Iranian nuclear issue, from a broader political perspective, is not encouraging. There is still no progress on the negotiations. Much to the contrary, the current confrontational course is a matter of great concern. The lack of trust, combined with worrisome recent developments, could give rise to dangerous scenarios that we must strive to avoid.

It appears that we now face a self-defeating circle of estrangement. Aborted negotiations lead to miscommunication. Mutual mistrust leads to increasing animosity; in the end, the lack of direct contact may lead to serious misunderstandings. To prevent the situation from deteriorating further, we should seek credible alternatives to create an environment conducive to dialogue and genuine engagement. More efforts are needed to strengthen the building blocks of a negotiated solution.

After such a long period of absence from the negotiating table, a comprehensive agreement might be difficult to achieve in the short term. A gradual approach in which confidence is built step-by-step would be advisable. In any case, the parties that are more directly concerned must show that they are willing to seriously pursue the diplomatic track and, most important, to persevere on such a course of action.

Mr. Salam (Lebanon) (*spoke in Arabic*): I thank Ambassador Néstor Osorio for his briefing on the 90-day report on the activities of the Security Council Committee established pursuant to resolution 1737 (2006). We commend the role of the Committee under his leadership and reaffirm our continued cooperation with it. I should like to make the following comments.

First, Lebanon was one of the first countries to join the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), and is a signatory to all the main international instruments and conventions related to the non-proliferation of weapons of mass destruction. Lebanon fully abides by its responsibilities in that area. In that context, Lebanon reaffirms the importance of the balanced implementation of the three main pillars of the NPT: non-proliferation, disarmament and the peaceful use of nuclear technology. The latter of course includes the right of all States parties to the NPT to develop, research, produce and use nuclear energy for peaceful purposes.

Secondly, Lebanon calls for the reactivation of the negotiation process and the resumption of dialogue as the optimal solution to achieve a final and comprehensive resolution of the issue that answers all questions related to the peaceful nature of Iran's nuclear programme, pursuant to the comprehensive safeguards system of the International Atomic Energy Agency (IAEA). That would facilitate efforts aimed at fruitful relations of cooperation with the Islamic Republic of Iran.

Thirdly, my country calls for addressing the issue of non-proliferation in the Middle East within the framework of a comprehensive and integrated regional vision free of selectivity or double standards and aimed at creating a nuclear-weapon-free zone in the Middle East. However, the obstacle to achieving that objective is a single country in the entire the Middle East, Israel, which has neither joined the NPT nor subjected its nuclear installations to the IAEA comprehensive safeguards system of inspections. We therefore welcome the appointment of a facilitator to prepare for the 2012 conference on creating a zone free of nuclear weapons and other weapons of mass destruction in the Middle East in implementation of the 2010 NPT Review Conference action plan.

Mr. Briens (France) (*spoke in French*): I would first of all like to thank Ambassador Osorio for his quarterly report and for his efficient and dedicated chairmanship of the Security Council Committee established pursuant to resolution 1737 (2006).

The Security Council has been seized of an unprecedented report from the International Atomic Energy Agency (IAEA). The report (S/2011/695, annex), which was published on 8 November, has only deepened France's concern about the Iranian nuclear programme. It contains a remarkably detailed summary of all of the information made available to the Agency over the past decade on the possible military aspect of the Iranian nuclear programme.

As the Agency has noted, its information derives from many sources, including more than 10 of its member States and information provided by Iran itself. The IAEA notes its serious concern and details Iranian activities that are "specific to nuclear weapons" (*S/2011/695, annex, para. 44*). Those activities cover all areas necessary for nuclear-weapon production, including the production of fissile material, work on uranium metal components, explosives, hydrodynamic experiments, modelling and calculations, neutron triggers, preparations for nuclear testing and integration into a ballistic missile.

Those activities occurred before the end of 2003 under the framework of a structured programme. However, the Agency emphasizes that some of those activities may still be ongoing. The Agency also recalls that Iran has never really cooperated in responding to its concerns and that, in 2008, it broke off all dialogue with the Agency on that issue.

Other Iranian announcements reported by the IAEA have only worsened our concerns: the announcement, in June, of the threefold increase in enrichment capacity to 20 per cent and the installation, in August, of the first centrifuge in the Qom plant — an instillation now intended to produce enriched uranium at the level of 20 per cent U-235, rather than the 3.5 per cent Iran announced in 2009. In October, there was a transfer of the first fissile material at that

same Qom facility — an installation that, I would recall, was built in secret and includes bunkers adapted for military use. It is a plant that could easily and swiftly be reconfigured to produce uranium at a rate higher than 20 per cent. In that context, we are also concerned by the Agency's reports that several kilograms of natural uranium metal have inexplicably disappeared.

All of those activities, together with Iran's intensive pursuit of a ballistic programme, paint an overall picture that leaves very little doubt as to its intentions. As emphasized by Mr. Alain Juppé, Minister for Foreign and European Affairs, all of that information shows that Iran has sought, and is very likely pursuing its efforts, to develop a nuclear weapon under the guise of a supposedly peaceful civilian nuclear programme. The IAEA member States, the States parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and, beyond that, the entire international community must take action in response to the seriousness of the facts reported by the Agency.

In Vienna, on 18 November, the IAEA Board of Governors adopted, with an unprecedented majority, a resolution (GOV/2011/69) expressing its deep and increasing concern and urging Iran to shed light, as soon as possible, on all of its activities relative to a military programme by cooperating unreservedly with the IAEA. The Board requested the Director General of the Agency to report on the implementation of that resolution at its next meeting, in March 2012.

In that context, I welcome the fact that all members of the Council who are also present in Vienna voted in favour of the Board of Governors' resolution. Once again, that action shows that the international community is united and determined not to tolerate abuse of the right to the peaceful use of nuclear energy, as recognized under the NPT.

Moreover, we must continue to rigorously implement the sanctions adopted by the Security Council. In doing so we must first issue a firm response to the numerous reported violations. We must also enhance the implementation of sanctions when necessary, pursuant to the mandate given by the Council.

The Panel of Experts has issued several recommendations. The Committee must follow up on them and, in particular, designate the individuals and entities involved in any violations. Once again, we ask that the final report of the Panel be published in accordance with the ongoing practice of Sanctions Committees. Should Iran persist in its refusal to comply with its international obligations and to cooperate seriously, we are prepared, together with all countries that agree to do so, to adopt sanctions of an unprecedented scope.

The Iranian regime is locking itself into a dangerous spiral from which there is no way out — one of isolation, of repression and of violating international law. Apart from nuclear issues, the several serious events that have occurred in recent weeks, which have been denounced by the international community, only heighten our concerns. In particular, I am thinking of the Iranian plot to carry out an attack on United States soil, revealed in October, and the unacceptable attack on 29 November against the British Embassy in Tehran, in violation of the Vienna Convention on Consular Relations.

The seriousness of the situation and the Iranian regime's deaf ear to the many negotiation offers made by the E3+3 obliges the international community to show unprecedented resolve and to mobilize as never before. Faced with that challenge, we have no choice but to remain united and firm. We urge Iran to heed the message of the IAEA and the international community and to at last concretely demonstrate its willingness to sincerely negotiate and as quickly as possible clarify all issues raised by the IAEA.

Ms. Sheard (United Kingdom): I join others in thanking Ambassador Osorio for his briefing to the Council today and for his report on the work of the Committee established pursuant to resolution 1737 (2006) and its Panel of Experts.

Five years have passed since the Security Council adopted resolution 1737 (2006), in December 2006. Despite the sanctions imposed since 2006, however, the Iranian nuclear programme has continued to develop in direct contravention of the Council's resolutions and Iran's obligations under the Treaty on the Non-Proliferation of Nuclear Weapons. No one following those issues can be in any doubt that Iran's clear objective is to develop the technology required for a nuclear weapon.

The November report of the International Atomic Energy Agency (IAEA) provides detailed and unambiguous evidence to support that assertion. The evidence is compelling in its description of both the

possible military dimensions of the Iranian nuclear programme and Iran's evasion of IAEA scrutiny. In particular, it is worth highlighting the report's findings that Iran has carried out "activities that are relevant to the development of a nuclear explosive device" (*S/2011/695, annex, para. 43*), that "While some of the activities identified in the Annex have civilian as well as military applications, others are specific to nuclear weapons" (*ibid., para. 44*), and that some of those activities "may still be ongoing" (*ibid., para. 45*).

Some argue that sanctions are a hindrance to further negotiations. That is not the case. Iran has been presented with a series of offers over the years. Indeed, there remains on the table a generous offer from the E3+3, with which Iran has decided not to engage meaningfully.

In January, the Istanbul offer made it clear that if Iran verifiably suspended its enrichment and reprocessing activities and heeded the relevant Security Council resolutions and IAEA obligations, it would be able to pursue peaceful civilian nuclear activity. In addition, Iran would enjoy increased political, economic and energy cooperation. That is just the latest in a series of serious offers made to, and rejected by, the Iranian Government since June 2008.

In October 2009, the original offer was enhanced by a confidence-building proposal to provide fuel for the Tehran Research Reactor in exchange for Iran's enriched uranium. It is difficult to understand why an Iran pursuing only civilian nuclear power would have rejected those offers. The E3+3 has made those serious, good-faith attempts to present Iran with an alternative to sanctions and isolation. It is Iran's intransigence and its rejection of such offers that has resulted in the intensification of sanctions agreed upon by the Council.

Iran says that it wants a peaceful nuclear programme, but the facts do not bear that out. The rejection of the deal designed to provide Iran with reliable civilian nuclear fuel and other incentives, combined with IAEA evidence, can lead us to only one conclusion: Iran is determined to develop nuclear weapons capability. Now more than ever, the dual-track strategy of pressure and engagement is necessary. Sanctions are a key tool to convince Iran to engage seriously in response to the offers on the table. The Council needs to engage constructively to ensure that the sanctions in place are effective in changing the calculus of the Iranian regime.

The Iran Sanctions Committee needs to act more constructively to ensure that sanctions play an effective part in that dual-track strategy. It should start by agreeing to the publication of the Panel of Experts' independent report. Withholding that report is to deny the wider membership comprehensive insight into Iran's activity to circumvent sanctions. It is a report that every United Nations Member has paid for and has a right to see. They should be allowed to form their own judgments on its value.

In parallel, the Committee needs to act on the recommendations in the report. It should focus on designating individuals and entities that have violated sanctions and it should clarify what Member States need to be doing to implement sanctions by publishing advisory implementation assistance notes.

It is also important that Member States be equipped with the knowledge and expertise to identify and act upon suspected violations. We therefore welcome the efforts by the Panel of Experts to raise awareness of those steps, which all Member States are required to take in order to implement sanctions and foster greater general knowledge-sharing and collaboration among States.

We remain committed to engaging Iran and to addressing the international community's genuine concern regarding its nuclear programme. For the time being, however, Iran has given us no reason to believe that our engagement in negotiations on their nuclear programme will be reciprocated in a meaningful way. It has not even responded to Baroness Ashton's latest letter on the subject.

Iran must know that unless it returns to meaningful negotiations without preconditions, it faces further and deeper isolation.

Mr. Eick (Germany): I also wish to thank Ambassador Osorio for his briefing today.

The latest International Atomic Energy Agency (IAEA) Director General's report (S/2011/695, annex) on the implementation of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) Safeguards Agreement in Iran is alarming. It gives rise to increasing concerns about a possible military dimension to Iran's nuclear programme. We are deeply concerned about the report's findings that Iran has

carried out activities relevant to the development of a nuclear explosive device. The annex to the report describes in detail that Iran has conducted activities in all key areas relevant to a nuclear weapon.

The report paints a very disturbing picture. It remains a matter of the utmost concern that the IAEA continues to be unable to provide assurances about the absence of undeclared nuclear material and activities in Iran. The Agency has carefully checked the consistency of the information available to it. Overall, the IAEA finds the information, which comes from a variety of independent sources, credible. The onus is therefore on Iran, which must provide access to information, documentation, sites, material and personnel. It is disturbing that Iran has recently taken decisions and actions that add to our previous doubts about the exclusively peaceful nature of its nuclear programme. The decision to increase its capacity to enrich uranium up to 20 per cent U-235 and bury it deep under a mountain is of particular concern against a background of indications of weaponization activities and the development of a ballistic missile programme.

In a first reaction to the IAEA report, the E3+3 co-sponsored a resolution at the Board of Governors in Vienna that supports the Agency's efforts to implement the Safeguards Agreement in Iran and to resolve the outstanding issues. The resolution calls on Iran to comply fully and without delay with its legally binding obligations.

On 21 October, the European Union High Representative addressed a letter to the Secretary of the Supreme National Security Council of the Islamic Republic of Iran. In her letter, Catherine Ashton called on Iran to engage seriously in meaningful discussions on concrete steps aimed at restoring confidence in the exclusively peaceful nature of Iran's nuclear programme. As of today, Iran has failed to respond. In addition, the report of the Chair of the Security Council Committee established pursuant to resolution 1737 (2006) points out that Iran is in continued violation of its legally binding international obligations. More sanctions violations have been reported. We reiterate our concern about the many cases of weapons exports from Iran to other countries, and repeatedly to Syria. All Member States should carefully implement the weapons embargo as contained in resolution 1747 (2007).

Against that background, we remain committed to our dual-track approach. We continue to be ready to engage Iran in meaningful negotiations about its nuclear programme. That continues to be our preferred choice. However, as long as Iran does not cooperate and is not even ready to talk about its nuclear programme, we see no option but to pursue the pressure track.

Germany attaches great importance to the proper implementation of sanctions. We believe that this remains vital in order to keep up the pressure on Iran and make the Iranians return to the negotiation table. The 1737 Committee plays a vital role in that regard. We want to thank the Panel of Experts for its valuable work. We particularly welcome the five implementation assistance notices that are currently under consideration by the Committee. We hope they can be finalized soon, as we expect them to provide guidance to Member States in implementing the United Nations sanctions regime.

On 7 May the Panel of Experts presented its final report. We deeply regret that this important report has yet to be published. We reiterate our call for it to be finally released. In that context, we welcome the proposal to inform the broader membership in an open briefing about how to implement the Iran resolutions.

Let me reiterate that, together with our partners in the international community, particularly in the framework of the E3+3, we remain committed to finding a long-lasting and peaceful solution to the Iranian nuclear issue. We call on Iran to respond in a positive and constructive spirit to our offers of engagement.

Mr. Wang Min (China) (*spoke in Chinese*): I would like to thank the Permanent Representative of Colombia for his briefing on the work of the Security Council Committee established pursuant to resolution 1737 (2006) during the past 90 days, and to voice my appreciation for the large amount of work accomplished by the Committee under his leadership. I hope that the Committee will continue to push for the implementation of the resolution in a pragmatic, appropriate and balanced matter. China has always attached great importance to the Committee and will continue to support it in its work.

China has also taken note of the interim report submitted by the Panel of Experts. We hope the Panel can continue to comply strictly with the resolution's

provisions and, under the Committee's leadership, to abide firmly by the principles of impartiality and objectivity, working in a serious, rigorous, appropriate and orderly manner in order to play its dual role in assisting the Council and the Committee in fulfilling their respective mandates, and in promoting a comprehensive, balanced and effective implementation of the relevant resolution.

China believes that all parties are duty-bound to accurately carry out the provisions of the resolution in good faith. However, sanctions are not the ultimate objective of the Council's resolution. The Iranian nuclear issue can only be finally resolved through dialogue and cooperation. The situation in the region is now undergoing profound changes. Against that background, having all parties commit firmly to seeking an appropriate solution to the Iranian nuclear issue through dialogue and negotiation will be of greater and more meaningful significance for the maintenance of peace and stability in the Middle East and avoiding further turbulence in the situation in the region.

The Board of Governors of the International Atomic Energy Agency recently adopted a resolution on the Iranian nuclear issue, aimed at promoting cooperation between the Agency and Iran and at supporting the efforts of the E3+3 countries to resolve the Iranian issue through dialogue. We hope that all parties can seize this opportunity and act in the best interests of peace and stability in the Middle East and of the international nuclear non-proliferation regime, by making greater efforts diplomatically and promoting substantive progress in dialogue between the E3+3 and Iran, as well as in cooperation between Iran and the Agency. That is what the international community hopes for and that is in keeping with the fundamental interests of all sides.

Iran, as a State party to the Treaty on the Non-Proliferation of Nuclear Weapons, is entitled to its right to the peaceful uses of nuclear power, and at the same time must comply with its international obligations. China hopes that, through dialogue and cooperation, Iran and the Agency can seek an appropriate solution to the outstanding issues in order to strengthen the confidence of the international community in the peaceful nature of the Iranian nuclear programme. China hopes that all sides can, with strategic vision, act in a spirit of pragmatism and flexibility to fully mobilize the positive factors present and take appropriate measures to promote progress in dialogue and negotiations.

Mr. Cabral (Portugal): I would like to thank Ambassador Néstor Osorio for his informative 90-day report on the activities of the Security Council Committee established pursuant to resolution 1737 (2006), as well as for his able leadership of the Committee. I would also like to kindly ask the Ambassador to convey Portugal's appreciation to the Panel of Experts for the comprehensive midterm report submitted to the Council on 8 December.

At the outset, let me reiterate that we share, with a number of other delegations, a sense of urgency regarding the publication of the Panel's final report, submitted in May. We are convinced of the usefulness of making the report available to all States Members of the United Nations, including by posting it on the Committee's website, which should be done as measure of transparency on the work carried out so far, but also to raise awareness among Member States of the need to fully and adequately implement resolution 1929 (2010).

The latest report of the Director General of the International Atomic Energy Agency (IAEA) (S/2011/695, annex) has raised significant concern over the nature of the Iranian nuclear programme, in particular the continuation of uranium enrichment activities to near 20 per cent with no plausible civilian use, which constitutes a clear violation of Security Council resolutions. Furthermore, according to the Director General's report, there are indications that some nuclear activities in which Iran is engaged relate directly to the development, manufacture, testing and delivery of a nuclear explosive device.

The information provided paints a compelling and disturbing picture of the nature of Iran's nuclear programme, which demands full and thorough clarification. There is no true possibility for Iran to regain the confidence of the international community unless the IAEA is provided with exhaustive responses with respect to all pending issues regarding Iran's nuclear activities, as requested by the Agency, and unless unlimited access to all its nuclear sites, materials, equipment and personnel is granted without delay.

While reaffirming our commitment to a diplomatic solution to the Iranian nuclear issue in accordance with the dual-track approach that has been

pursued in a consistent manner, we understand that it is now up to Iran to show genuine willingness to cooperate with the Agency. The Agency is the only international body capable of ascertaining the true nature of the Iranian nuclear programme.

Portugal again calls on Iran to urgently and fully engage in meaningful talks on concrete confidence-building measures, paving the way to a comprehensive and long-lasting settlement that would restore international confidence in the exclusively peaceful nature of the Iranian nuclear programme.

Mr. Barbalić (Bosnia and Herzegovina): I would first would like to thank Ambassador Osorio for his quarterly report and the outstanding work he has done as Chair of the Security Council Committee established pursuant to resolution 1737 (2006).

Bosnia and Herzegovina supports the work of the Committee, which continues to play a critical role in monitoring and improving the enforcement of Security Council resolutions on Iran. We welcome the very useful and informative midterm report and we look forward to having the final report of the Panel of Experts published and made available to all States Members of the United Nations. We also express our support for the Committee's intention to hold an open briefing by the Chair in the near future aimed at assisting Member States in their efforts to implement the relevant Security Council resolutions.

Bosnia and Herzegovina has consistently believed that only the full implementation of the safeguards agreements under the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) can ensure that nuclear energy is used in a safe and responsible manner. The role of the International Atomic Energy Agency (IAEA) as an implementing agency remains the most reliable instrument for verifying compliance with the Treaty's stipulations. We strongly believe that all States without exception must submit their nuclear facilities to the International Atomic Energy Agency safeguards regime and must be transparent in fulfilling their commitments.

In that context, we remain concerned about Iranian nuclear activities. The most recent report of the Director General of the IAEA (S/2011/695, annex), published on 8 November, indicates that Iran has not suspended its enrichment-related activities or heavy water-related projects, as required by the resolutions of the Security Council and as requested by the IAEA Board of Governors. We therefore call upon Iran to comply with the relevant Security Council resolutions and implement the Additional Protocol and all measures requested by the IAEA. We hope that Iran will finally engage with the IAEA in order to clarify all outstanding issues regarding its nuclear programme.

Bosnia and Herzegovina still believes that it is possible to reach a comprehensive, negotiated and long-term solution to the Iranian nuclear issue. We therefore reiterate our call upon all parties concerned to redouble diplomatic efforts and engage in constructive discussion aimed at restoring international confidence in the exclusively peaceful nature of the Iranian nuclear programme.

Mr. Moungara Moussotsi (Gabon) (*spoke in French*): Let me, for my part, thank Ambassador Néstor Osorio for the presentation of the twentieth quarterly report of the Security Council Committee established pursuant to resolution 1737 (2006) and commend him on how he has steered the work of the Committee over which he presides. We also commend the midterm report prepared by the Panel of Experts and submitted to the Committee in accordance with paragraph 2 of resolution 1984 (2011). We support the work of the Panel of Experts in support of the 1737 Committee in implementation of resolution 1929 (2010). We urge members of the 1737 Committee to continue their negotiations on the report in order to have it placed on the website.

My delegation would like to reiterate that Gabon is committed to the international non-proliferation regime, of which the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and its three pillars continue to be the cornerstone. Our commitment to the relevant Security Council resolutions and their implementation is unambiguous.

My delegation would again like to express its deep concern with regard to the reports, including the latest report of the Board of Governors of the International Atomic Energy Agency (IAEA) (S/2011/695, annex), which sets forth violations by Iran of the non-proliferation regime and the sanctions adopted by the Security Council. Iran must therefore cooperate with the IAEA and meet a number, if not all, of its commitments, such as the implementation of the provisions of its Additional Protocol, the suspension of its activities relating to heavy water, and the showing of respect for the concerns of the International Atomic

Energy Agency with regard to the potential militarization of the Iranian nuclear programme.

The Council has called on Iran a number of times to fully meet its obligations under the NPT in order to rebuild international trust and provide assurances to the international community with respect to the exclusively peaceful nature of its nuclear programme. The fact that Iran is continuing with its work with respect to ballistic missiles and related activities is also of concern for my country. The Iranian authorities must therefore return to the negotiating table without conditions.

Finally, I would like once to again to express our full appreciation for the work done by the 1737 Committee and renew our full support for it.

The President (*spoke in Russian*): I shall now make a statement in my capacity as representative of the Russian Federation.

We thank the Chair of the Security Council Committee established pursuant to resolution 1737 (2006), Permanent Representative of Colombia Osorio, for his briefing on the work of the Committee. The Committee has worked actively during the reporting period, staying strictly within its mandate. The Committee needs to continue to work specifically in that vein, as does its Panel of Experts, which provides the Committee with practical assistance. The activities of the experts must be structured on an impartial and independent basis, and they must use only reliable sources and accurate information.

Russia fully complies with all requirements of the sanctions regime with respect to Iran. We believe that all members of the international community must strictly comply with the requirements of the Security Council sanctions resolutions and not go outside of their framework.

Russia views the 18 November resolution (GOV/2011/69) of the Board of Governors of the International Atomic Energy Agency (IAEA) on the situation with respect to the Iranian nuclear programme as a new type of instrument, which, we hope, lays a solid basis for addressing the issues related to the programme. It is important to remember that that resolution is aimed not at condemning anyone but, instead, at continuing dialogue and easing the tensions that have recently been heightened with respect to the activities of Iran in the nuclear area. We do not deny the serious nature of the problems that exist with respect to restoring confidence in the exclusively peaceful nature of the Iranian programme, and we share the concerns of the international community in that regard.

At the same time, we oppose attempts to artificially worsen the atmosphere with regard to this issue, which could have a negative impact on the Agency's cooperation with Iran and undermine prospects for a continued dialogue between the six international mediators and the Iranians. Russia has consistently favoured resuming that dialogue without preconditions.

We are committed the principles of reciprocity and a phased approach with regard to making progress in addressing issues related to Iran's nuclear programme. It is important that the resolution of the IAEA Board of Governors refers to those principles and reaffirms the intention of the international community to seek a comprehensive, negotiated settlement. Russia continues to do its utmost to bring about a prompt resumption of the negotiations between Iran and the six parties.

I now resume my functions as the President of the Security Council.

I once again call on Ambassador Osorio to respond to the questions and comments that have been made.

Mr. Osorio (Colombia) (*spoke in Spanish*): I would like to thank the members of the Security Council for their kind words, as well as to express my gratitude to mission experts who participated in the work of the Committee for their devotion and the seriousness with which they approached the issues under the purview of the sanctions Committee.

It is clear that concerns abound, such as the difficulties in making available and publishing reports of the Panel of Experts. I hope to be able to find a way reach an understanding so that this aspect of transparency can be guaranteed, for not only the members of the Council but also other Members of the United Nations expect such transparency and information about the work of committees.

There are still some very serious concerns, which I interpret as a need to step up the Committee's work and to continue to guide the Panel of Experts in order that it carries out its tasks — as you, Mr. President,

have said — in accordance with the mandate it has been given.

The President (*spoke in Russian*): I thank Ambassador Osorio for the clarifications he has provided.

There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 11.20 a.m.